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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,323	04/20/2004	Manabu Saito	113539.01	4040
25944	7590	05/18/2006	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			GRAINGER, QUANA MASHELL	
			ART UNIT	PAPER NUMBER
			2852	

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/827,323

Applicant(s)

SAITO ET AL.

Examiner

Quana M. Grainger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-29 and 31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-16, 28 and 29 is/are allowed.
- 6) ☒ Claim(s) 17-21, 23-27 and 31 is/are rejected.
- 7) ☒ Claim(s) 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

The indicated allowability of claims 17-21 and 23-27 is withdrawn in view of the newly discovered reference(s) to Haneda. Rejections based on the newly cited reference(s) follow.

#### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 17-21, 23-27, and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Haneda (5,537,188). Haneda teaches an image forming apparatus comprising: a latent image forming unit that forms a latent image on an image carrying body 100; and a developing unit 204 that visualizes the latent image formed on the image carrying body by using a developer, wherein a developing housing containing the developer is communicatively connected to a developer replenishment box 204H; and wherein the developer replenishment box is disposed in an upstream of a latent image writing position on the image carrying body (figure 1). The image forming apparatus further comprising a process cartridge detachably attached to the apparatus body, the process cartridge into which the image carrying body and at least one process unit are incorporated, wherein the process cartridge includes the developer replenishment box. The

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developer replenishment box 204H is detachably attached to the process cartridge. The image carrying body cartridge includes at least the image carrying body is detachably attached to the process cartridge.

The process cartridge is attached to and detached from the apparatus body by opening an opening/closing cover provided in an upper part of the apparatus body (figure 5). The image forming apparatus wherein a recording sheet onto which a visual image is transferred from the image carrying body is transported from a lower part to an upper part; and wherein the developer replenishment box 204H is disposed on an upper side of the latent image writing position on the image carrying body (figure 1). The image forming apparatus further comprising a discharge tray (above fixer 123) for accommodating discharged sheets, disposed in an upper part of the developer replenishment box. The image forming apparatus wherein an upper surface housing of the developer replenishment box is an inclined surface inclined in the same direction as of the discharge tray accommodating the recording sheets. The developer replenishment box 204H is capable of containing a larger amount of developer than the developing housing disposed in a lower side of the latent image writing position on the image carrying body. The developer replenishment box 204H is disposed in an upper part of a latent image writing position on the image carrying body; wherein the developing housing is disposed in a lower part of the latent image writing position; and wherein the developer replenishment box 204H is communicatively connected to the developing housing by way of a communicative passage, which makes a detour around the latent image writing position (figure 1).

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***Allowable Subject Matter***

3. Claim 22 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1-16, 28-29, and 31 are allowed.

***Response to Arguments***

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

***Contact Information***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quana M. Grainger whose telephone number is 571-272-2135. The examiner can normally be reached on 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on 571-272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read 'Quana M Grainger', with a long horizontal flourish extending to the right.

Quana M Grainger  
Primary Examiner  
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QG